

### **REMARKS**

Applicants wish to thank the Examiner for the comments in the final Office action.

Pursuant to the final Office action, Applicants have amended claim 1 to more particularly define the delivery apparatus as comprising a needle with a sharp tip configured to pierce the sclera to a pre-determined depth. Claim 5 has been amended to change the dependency from claim 4 to claim 1. Applicants make these amendments without prejudice to their right to seek broader claim coverage in a continuation or continuation-in-part application

Applicants submit that the amendments to the claims places claims 1-8 in proper form for allowance in view of the Examiner's comments.

### **TIMELINESS OF THIS AMENDMENT**

The mailing date of the final Office action was October 17, 2006. As this after-final amendment is being submitted within two months of that mailing date, Applicants believe that no time extension is necessary. Should Applicants be in error they hereby request such time extension as is necessary to make this Response timely and authorize the Office to charge Deposit Account 502417 for any deficiency in such payment for a time extension and to credit any overpayments thereto.

**CONCLUSION**

Applicant respectfully requests that this Amendment be entered and that pending claims 1-8 be allowed.

Respectfully Submitted,

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By their attorney

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